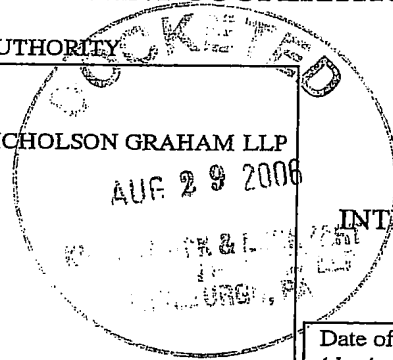


PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:
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PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Applicant's or agent's file reference 040387PCT		Date of mailing (day/month/year) 24 AUG 2006
International application No. PCT/US05/22987		FOR FURTHER ACTION See paragraph 2 below
International filing date (day/month/year) 27 June 2005 (27.06.2005)	Priority date (day/month/year) 30 June 2004 (30.06.2004)	
International Patent Classification (IPC) or both national classification and IPC IPC: G06Q 30/00(2006.01);G06G 1/14(2006.01) USPC: 705/28,22		
Applicant ARCHER-DANIELS-MIDLAND COMPANY		

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (571) 273-3201	Date of completion of this opinion 03 July 2006 (03.07.2006)	Authorized officer Ronald Laneau Telephone No. (571) 272-6784
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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

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Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of:

- ☒ the international application in the language in which it was filed
- ☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

- ☐ a sequence listing
- ☐ table(s) related to the sequence listing

b. format of material

- ☐ on paper
- ☐ in electronic form

c. time of filing/furnishing

- ☐ contained in the international application as filed.
- ☐ filed together with the international application in electronic form.
- ☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

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Box No. V Reasoned statement under Rule 43 *bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims <u>1-15</u>	YES
	Claims <u>NONE</u>	NO
Inventive step (IS)	Claims <u>NONE</u>	YES
	Claims <u>1-15</u>	NO
Industrial applicability (IA)	Claims <u>1-15</u>	YES
	Claims <u>NONE</u>	NO

2. Citations and explanations:

Please See Continuation Sheet

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

V. 2. Citations and Explanations:

Claims 1-15 lack an inventive step under PCT Article 33(3) as being obvious over Mowery (US 5,983,198) in view of Sallam et al (US 2004/0103144 A1).

As per claim 1, Mowery discloses an inventory management system configured for use in association with at least one container containing an amount of inventory material at a monitored location (see fig. 1), said system comprising: at least one measurement instrument operatively associated with said container (see fig. 1, 108), said measurement instrument being configured to generate at least one data signal representative of said amount of said inventory material in said container (col. 3, lines 50-58; see fig. 1, 108); a telemetry unit in communication with said measurement instrument (see fig. 1, 112), said telemetry unit being configured to receive at least said generated data signal from said measurement instrument and to convert said generated data signal into inventory information (col. 3, line 64 to col. 4, line 16; fig. 1). Mowery does not disclose a first and second server but Sallam discloses a first server in communication with said telemetry unit via an Internet connection, said first server configured to receive at least said inventory information from said telemetry unit; and, at least a second server in communication with said first server, said second server configured for receiving at least said inventory information from said first server into at least one data storage medium operatively associated with said second server to process said inventory information for presentation on at least one website (page 2, [0030]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the first and second servers in connection with the telemetry unit as taught by Sallam into the system of Mowery because it would provide communication and management interfaces for the smart telemetry device, an infrastructure allowing for the smart telemetry device to exchange services that provide functionality to both the software application and the smart telemetry device.

As per claims 2-4, Sallam discloses a system wherein the first server can be a monitoring mail server, the second server can be an inventory management server as claimed and at least one web server in operative association with at least one of said servers (page 2, [0030]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the plurality of servers at taught by Sallam into the system of Mowery for the same reasons given in claim 1.

As per claims 5-7, Mowery discloses a system comprising a web server being configured to display at least one customer summary screen including a product inventories section having for a customer at least one of a listing of products stored at said

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

monitored location, a total inventory material amount associated with each said product at said monitored location, and a listing of said monitored locations associated with said customer; a web server being configured to display at least one location summary screen including for said monitored location a product inventory section having inventory material data displayed on a product-by-product basis for said containers at said monitored location; and wherein said location summary screen further includes at least one of a number of tanks, a delivery date, daily product usage data, average daily usage data, and reorder point data (col. 4, lines 17-32; see fig. 1).

As per claims 8 and 9, Mowery discloses a system further comprising an order processing system in operative association with said inventory management server; a payment processing system in operative association with at least one of said order processing system and a web server (see fig. 1).

As per claims 10 and 11, Mowery discloses a system comprising said inventory management system being configured to calculate whether an order for additional said inventory material should be placed for said monitored location and wherein said order calculation is based on at least one factor selected from the group consisting of a usage rate of said inventory material and a predetermined order point (col. 4, lines 17-45).

As per claims 12 and 13, Mowery discloses a system further comprising said inventory management server being configured for generating at least one notification in association with said inventory information; said inventory management server being configured for generating at least one notification in association with at least one order estimation based on said inventory information (col. 8, lines 29-39).

As per claim 14, Mowery discloses a system comprising said inventory management server being configured to generate automatically an order for additional said inventory material (col. 1, lines 8-10).

As per claim 15, Mowery discloses a system wherein said order generation is based on at least one factor selected from the group consisting of a calculated re-order point, a projected usage of said inventory material, a production schedule, and a historical usage rate for said inventory material (col. 1, lines 23-27).